

Clerk's Note: Technical corrections have been made to this Bill following enactment. A list of these changes is noted following the signature page.

CORRECTED COPY

Bill No. 7-24
Concerning: Landlord-Tenant Relations –
Tenant Protection and Notification
Revised: 7/16/2024 Draft No. 7
Introduced: March 5, 2024
Enacted: July 16, 2024
Executive: July 25, 2024
Effective: October 24, 2024
Sunset Date: None
Ch. 10, Laws of Mont. Co. 2024

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council Vice President Stewart
Co-Sponsors: Councilmembers Balcombe, Sayles, Katz, Mink, Albornoz, Jawando, Glass,
and Council President Friedson

AN ACT to:

- (1) require a residential lease to include certain information related to insurance, automatic sprinkler system, and emergency safety plan;
- (2) require the 24-hour availability of a building representative during certain emergency situations;
- (3) require notification of essential service disruptions in a rental building;
- (4) require an emergency safety plan and approval of the plan by the ~~[[Department of Housing and Community Affairs]]~~ Department of Permitting Services; and
- (5) generally amend the law regarding landlord-tenant relations in the County.

By amending

Montgomery County Code
Chapter 22, Fire Safety Code
Section 22-74

Chapter 26, Housing and Building Maintenance Standards
Section 26-7

Montgomery County Code
Chapter 29, Landlord-Tenant Relations
Sections 29-27, 29-30, and 29-31

~~[[By adding~~

Montgomery County Code
Chapter 29, Landlord-Tenant Relations
Section 29-35F]]

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

28 a tenant and the statement must specify whether the tenant is required to
29 obtain renter’s insurance under the terms of the lease agreement. The
30 statement must be acknowledged by each tenant with a signature or
31 initials.

32 (y) Provide information about whether the building is fully protected by an
33 automatic sprinkler system.

34 (z) Contain an emergency safety plan for a multifamily building approved
35 by the Department of Permitting Services under Section [[29-35]] 22-74.

36 * * *

37 **29-30. Obligations of landlords.**

38 (a) Each landlord must reasonably provide for the maintenance of the health,
39 safety, and welfare of all tenants and all individuals properly on the
40 premises of rental housing. As part of this general obligation, each
41 landlord must:

42 * * *

43 (13) Prepare and maintain an emergency safety plan in compliance with
44 Section [[29-35F]] 22-74.

45 **29-31. Landlord notice requirements.**

46 (a) Each landlord of an apartment complex in the County must:

- 47 (1) post a durable notice in an accessible, conspicuous and convenient
- 48 place in each building to which the notice applies; or
- 49 (2) distribute the notice directly to all tenants.

50 The notice must contain the name or title and telephone number of at least
51 one responsible representative of the building management who may be
52 reached [at all times in an emergency] 24 hours a day, 7 days a week.

53 (b) A landlord renting any dwelling unit that is not located in an apartment
54 complex must give the lessee the name, title and telephone number of at

55 least one responsible representative of the landlord who may be reached
 56 [at all times in an emergency] 24 hours a day, 7 days a week.

57 * * *

58 (d) Notification of building-wide outages, maintenance, and repairs. A
 59 landlord must provide notice to all tenants if an apartment complex has
 60 any scheduled or unscheduled building-wide outage, maintenance, repair,
 61 or disruption of essential services related to the following:

- 62 (1) electricity;
- 63 (2) water;
- 64 (3) heat; [[or]]
- 65 (4) power generator[.]; or
- 66 (5) elevator.

67 (e) Contents of the notice.

- 68 (1) A notice required under subsection (d) must be sent at least 7 days
 69 before a scheduled service interruption; or
- 70 (2) in the absence of an emergency, at least [[within]] 24 hours [[of]]
 71 before an unscheduled service interruption[[, if feasible]]; and
- 72 (3) contain the following:
 - 73 (A) the date of proposed scheduled work or service interruption;
 - 74 (B) the estimated time of repair; and
 - 75 (C) information regarding the communication method that will
 76 be used to provide updates about service interruption until
 77 the issue is resolved.

78 (f) Posting and electronic delivery of notice. The landlord must:

- 79 (1) post the notice in an accessible, conspicuous, and convenient
 80 location in the building; and
- 81 (2) if feasible, send electronically to all tenants either by:

- 82 (A) email;
- 83 (B) text message; or
- 84 (C) online tenant portal.

85 **[[29-35F.]] 22-74. Fire safety instructions.**

86 * * *

87 **(c) Emergency safety plan for multifamily rental building – required.**

88 **(1) Definitions. For purposes of this Section:**

89 Department means the Department of Permitting Services.

90 Director means the Director of the Department or the Director’s
 91 designee.

92 Emergency safety plan means a plan approved by the Department
 93 in accordance with this Section.

94 **(2) Emergency safety plan - requirements.**

95 **(A) Each landlord of a multifamily dwelling must submit a**
 96 **proposed emergency safety plan on a form prescribed by the**
 97 **Director for review and approval by the Department.**

98 **(B) Lease requirement. After the Department approves an**
 99 **emergency safety plan, the landlord must include the plan**
 100 **in each lease agreement as required under Section 29-27 and**
 101 **must operate in accordance with the approved plan.**

102 **(C) Frequency of plan. An emergency safety plan expires every**
 103 **three years. A landlord is required to update its plan and**
 104 **obtain a new approval from the Department to remain in**
 105 **compliance with this Section.**

106 **(D) Scope and contents of the plan. The [[landlord of a**
 107 **multifamily dwelling must prepare and maintain an]]**
 108 **emergency safety plan must [[that]], at a minimum, include:**

134 (A) Within 30 days after the Director issues a denial, a landlord
 135 may file a request for reconsideration of an emergency
 136 safety plan.

137 (B) An alternative safety measure may be approved and
 138 implemented if the Director determines that such measures
 139 may provide equivalent or acceptable safety for a
 140 multifamily building.

141 (6) *Emergency plan guidance for landlords.* The Department, in
 142 coordination with Department of [[Permitting Services (Division
 143 of Fire Prevention and Code Compliance)]] Housing and
 144 Community Affairs, and the County's Office of Emergency
 145 Management and Homeland Security, and any other relevant
 146 departments, must develop and make publicly available for
 147 landlords best practices for establishing an emergency safety plan.

148 [[d]] (7) *Regulations.* The Executive must adopt Method (2) regulations to
 149 implement the requirements of this Section. The regulations must
 150 include procedures for a landlord to submit and for the Director to
 151 consider, review, and reconsider [[approve]] a proposed
 152 emergency safety plan by a landlord.

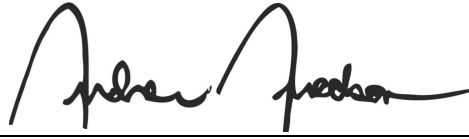
153 (8) *Increase calls for service – plan addendum required.* If the
 154 Director receives a notification by Montgomery County Fire and
 155 Rescue Services (MCFRS) of a multifamily property that has 10
 156 or more calls for service for a fire-related emergency within a 12-
 157 month period, the Director may require the property owner to
 158 submit an addendum to the emergency safety plan under
 159 paragraph (2) of subsection (c).

- 160 (9) The plan addendum, under paragraph (8), must be submitted by
161 the property owner and provide a step-by-step implementation
162 process to reduce fire-related calls for service. The Director may,
163 in consultation with MCFRS, require certain action steps
164 included in the plan addendum.
- 165 (10) *Time for submission.* The property owner must submit the plan
166 addendum within 60 days, after notification by the Director
167 under paragraph (8). The Director must review the amended plan
168 within 30 days of receipt from the property owner and decide
169 whether to approve or disapprove the plan. An amended plan
170 approved by the Director must be implemented by the property
171 owner within 90 days after receipt of approval.
- 172 (11) *Reconsideration of plan addendum.* If the plan addendum is not
173 approved, the Director must provide an explanation of why the
174 plan was not approved and include alternative measures for the
175 property owner.
- 176 (12) A plan addendum may include, at minimum:
- 177 (A) efforts to hire security guards or additional building
178 personnel;
- 179 (B) repair or replace faulty alarm systems;
- 180 (C) facilitate opportunities for the County to provide outreach
181 and educational resources to residents regarding fire
182 safety;
- 183 (D) contract with a vendor to provide outreach and educational
184 resources to residents regarding fire safety and prevention
185 of false alarms; or

186 (E) other fire alarm reduction strategies as determined by the
187 Director, in consultation with MCFRS.

188 **Sec. 2. Transition.** The requirements for an emergency safety plan under subsection
189 (z) of Section 29-27, paragraph (13) of Section 29-30, and ~~[[Section 29-35F]]~~ Section
190 22-74, added under Section 1 of this Act, must not be enforced, or take effect until
191 Method (2) regulations under ~~[[Section 29-35F]]~~ Section 22-74 are approved by the
192 County Council.

Approved:



Andrew Friedson, President, County Council

July 16, 2024

Date

Approved:



Marc Elrich, County Executive

July 25, 2024

Date

This is a correct copy of Council action.



Sara R. Tenenbaum, Clerk of the Council

July 25, 2024

Date

The following technical changes have been made to Bill 7-24:

- Comma removed after “thermostat” on line 20
- Comma removed after “tenants” on line 59
- Double brackets added before “landlord” on line 106
- Double brackets removed before “must” on line 107
- Comma added after “minimum” on line 108
- The word “measures” changed to “measure” on line 137
- Comma removed after “landlords” on line 149
- The word “of” was removed on line 169
- The word “alarms” changed to “alarm” on line 179
- Comma removed after “consultation” on line 187